

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: NAKANO et al
Serial No.: 10/660,710
Filed: September 12, 2003
For: Electric Camera
Art Unit: 2622
Examiner: L. Nguyen
Conf. No.: 7646

RESPONSE

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 11, 2008

Sir:

The following remarks are respectfully submitted in connection with the above-identified application, in response to the Office Action dated March 13, 2008.

The requirement for election of one of the following alleged patentably distinct species identified by the Examiner as Species I: Figs. 1 - 6; Species II: Figs. 7 - 9; Species III: Figs. 10 - 12; and the further requirement to elect, after election of one of the aforementioned species, a single one of the Sub-species identified by the Examiner as Sub-species A: Fig. 13A and Sub-species B: Fig. 13B; such requirements are traversed as being improper, and reconsideration and withdrawal of the requirements are respectfully requested.

More particularly, applicants submit that Species I - III have common features such as the pixel arrangement (size) of the image sensing device and the driver which drives the image sensing device that reads the charges by mixing or culling

signal charges accumulated in the pixels. While Figs. 1 - 6 (Species I) describe the operation of driving the image sensing device by using three phase signal; Figs. 7 - 9 (Species II) describe the operation of zooming applied to Species I; and Figs. 10 - 12 (Species III) describe the operation of driving the imaging sensing device using six phase signals; which differences in operation are not recited in the claims. Thus, while the Examiner contends that "Currently, there is no generic claim", applicants submit that with respect to the indicated species, all claims are generic, including independent claims 10 and 11 and the dependent claims thereof. Accordingly, applicants submit that the requirement for election of species is improper and should be withdrawn.

In order to provide a complete response to the species election requirement, applicants provisionally elect, with traverse, Species I: Figs. 1 - 6 and submit that claims 10 - 21 are readable thereon and which include generic claims.

With respect to the requirement for election of Sub-species, applicants provisionally elect, with traverse Sub-species B: Fig. 13B, and submit that, in addition to claims 16 and 21 readable thereon, claims 10 - 13 and 17, 18 are also readable on the elected Sub-species B.

For the foregoing reasons, applicants request withdrawal of the election of Species and Sub-species requirement, and request favorable action with respect to all claims in this application.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing

of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.38315VX2), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Melvin Kraus/ *MEK*

Melvin Kraus

Registration No. 22,466

MK/jla
(703) 312-6600